

# PERB Chair Tiffany Rystrom Passes Away Following Battle with Cancer

Tiffany Rystrom, Chair of the California Public Employment Relations Board (PERB), died June 9 at her home in Sausalito, CA.

Ms. Rystrom, 66, was appointed by Governor Arnold Schwarzenegger to the five-member PERB in August 2007 and appointed Chair in February 2009. PERB administers the collective bargaining statutes covering more than two million California public sector employees, and rules on challenges to decisions issued by PERB's General Counsel and Administrative Law Judges.

"Tiffany Rystrom capped a distinguished career by channeling her passion for the law into public service," said Governor Schwarzenegger. "As a member of the Public Employment Relations Board, and most recently its Chair, she raised the bar on quality, integrity and consistency with the law for every decision. I was proud to have her serve in my administration. The prayers of both Maria and I go out to Tiffany's family and her partner Angela."

Ms. Rystrom exerted a strong influence on in depth legal analysis of each case and consistent application of the relevant legal principles. She was constantly mindful that PERB decisions create a body of case law that shapes future public sector labor practices.

"Tiffany Rystrom was a gifted attorney of the utmost integrity. We, her friends, loved her for her loyalty, thoughtfulness, charm, grace, and generosity of spirit, and were awed by her personal courage," Joyce Kennard, Associate Justice, California Supreme Court, said.

As PERB Chair, she instituted changes designed to increase efficiency and issued several important published decisions, including:

- *Escondido Union Elementary School District* (2009) PERB Decision 2019: Ms. Rystrom eloquently presented an in depth legal analysis of the PERB Board's standard for retaliation, and decided in favor of the union.
- *Region 4 Court Interpreter Employment Relations Committee and the Superior Court of California, County of Riverside* (2008) PERB Decision No. 1987-I: In the first PERB Board decision to interpret the Trial Court Interpreter Employment and Labor Relations Act, Ms. Rystrom decided in favor of the employer and ruled that the Act does not grant collective bargaining rights to independent contractor interpreters.
- *State of California* (2007) PERB Order No. Ad-367-S: In the PERB Board's first ruling on card check after the adoption of card check regulations in 2007, Ms. Rystrom found that PERB case law does not require PERB to accept signature revocation cards in a card check proceeding.

Ms. Rystrom began her legal career in 1977 and went on to build an outstanding reputation in the California legal community. "I admired Tiffany greatly as an attorney. She was extremely smart, incredibly hardworking, and doggedly persistent and effective in advocating for her clients," Cristina C. Arguedas, partner in the San Francisco law firm of Arguedas, Cassman & Headley, said.

Fresh out of San Francisco's Golden Gate Law School and newly admitted to the California State Bar in 1977, Ms. Rystrom accepted a one-year appointment as judicial clerk to the Presiding Justice and two other Justices of the California Court of Appeal, First District, Division One. Her work included preparing a legal analysis of every extraordinary writ filed in Division One. Here began her career-long love and skill at rigorous legal analysis.

Ms. Rystrom then served a year as Deputy District Attorney in Marin County followed by four years as Deputy Attorney Counsel in the Office of the California Attorney General. Starting in the Criminal Division and within a year moving to the Civil Division, Ms. Rystrom handled civil rights and personal injury lawsuits against the State of California at both the trial and appellate level.

In 1983, Ms. Rystrom went into private practice. Her case wins included a seven-figure settlement for residents of a neighborhood being subjected to sulfur pollution from an oil refinery. She also successfully represented former California State Controller Kenneth Cory when Sacramento County sought to condemn his home without fair compensation because the nearby county airport could not meet noise abatement standards.

It was during this time, that Ms. Rystrom noticed a series of news reports about clemency petitions by battered women in prison for killing their husbands. She thought California laws governing what is a justifiable homicide defense ought to apply and wrote legislation (Senate Bill 1144) establishing domestic violence as a justifiable homicide defense for battered women. The bill passed the California Senate in 1993, but stalled in committee in the Assembly.

In 2001, Ms. Rystrom joined San Francisco-based Carroll, Burdick, McDonough as Of Counsel until she was appointed to PERB in 2007.

Before entering the legal field, Ms Rystrom spent six years in advertising and marketing. In 1968 she received her B.A. in Psychology and Political Science from the University of Illinois and joined Leo Burnett Advertising in Chicago, the fifth largest ad agency in the U.S. Ms. Rystrom became the second woman in the history of the agency to be appointed to its high-powered 125-person account executive department.

She went on to found her own marketing research company in 1971. A year later she moved to California in 1972 and became the first woman hired in the marketing department of the Clorox Corporation in Oakland.

Ms. Rystrom brought the same energy, enthusiasm, and competitive spirit to her life outside of work. A licensed pilot, she flew her own Piper Warrior. She raced her own Express 37 sailboat on San Francisco Bay. She ran four marathons. She relished mountain biking, once in Patagonia -- at age 64-- covering 70 miles in one day with an elevation gain from 2,500 to 4,000 feet. She was an avid golfer and member of the Lake Merced Country Club.

"Tiffany was among the most intelligent, iron-willed women I have ever known," said Susan Kennedy, Governor Schwarzenegger's Chief of Staff. "In just two years on PERB, Tiffany

Rystrom left a permanent mark on the board, setting the highest standards for legal analysis, integrity and work ethic. She has left us with a meaningful legacy and will be sorely missed."

Born in Rockford, Illinois, on October 23, 1942, Ms. Rystrom grew up in the Chicago area and spent a year in Atlanta before moving to Sausalito in 1972. She is survived by her long-time life partner Angela Bradstreet, California Labor Commissioner; sister, Julie Jordan; brother, Jock Rystrom; and nephew, Erik Rystrom.

A private celebration of Ms. Rystrom's life is planned. A special fund for ovarian cancer research has been established by the family. Contributions may be sent to The John Chan MD Fund for Ovarian Cancer Innovative Research (B2702), UCSF Foundation, UCSF Box 1694, San Francisco, CA 94143-1694.

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